Human Rights Center “Viasna”

Human Rights Situation in Belarus in 2015

Analytical review

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Key findings:

- further escalation of the Russian-Ukrainian crisis and changes in the geopolitical situation around the Republic of Belarus had a significant impact on the external and internal political situation in the country, as well as on public opinion throughout 2015;

- on August 22, it was reported that President Aliaksandr Lukashenka pardoned and released from prison six political prisoners: Mikalai Statkevich, Mikalai Dziadok, Ihar Alinevich, Yury Rubtsou, Artsiom Prakapenka, and Yauhen Vaskovich. In return, the EU and the United States suspended the sanctions that were earlier imposed on Belarus;

- the pardon of the political prisoners took place without removing their criminal convictions, which implies restrictions on their civil and political rights, including inability to run in elections at all levels and police supervision), and tougher forms of control and restrictions until the expiry of their sentences. Thus, the EU's demand to secure a full rehabilitation of political prisoners was not implemented by the Belarusian authorities;

- since August, the country began to show certain positive trends in the field of human rights, including a suspension of the practice of forced dispersal of unauthorized peaceful assemblies and arrests of their organizers and participants, as well as the suspension until the end of the year of the practice of administrative harassment of independent journalists working with foreign media. However, the authorities were unable to completely abandon the practice of administrative prosecution of peaceful protesters and freelance journalist;

- in general, in 2015 there were no systemic changes aimed at qualitative improvement of the human rights situation in the country. Basic civil and political rights were still limited at the legislative level. Despite the overall decline in the scale of repression, the level of control over society remained extremely high;

- of particular concern are the cases of harassment of human rights defenders in the exercise of their peaceful activities for the protection of the rights of others, including the expulsion of human rights defender Alena Tankachova and cases of pressure on human rights activist Leanid Sudalenka;

- despite the release of political prisoners, the politically motivated criminal cases that were opened earlier against Ales Mikhalevich, presidential candidate in 2010, who had returned from immigration, Aliaksandr Alesin, journalist and columnist of the Belorusy i Rynok weekly, and youth activists of the anarchist movement Maksim Piakarski, Vadzim Zharomski and Viachaslau Kasinerau were not closed in 2015. Mikhail Zhamchuzhny, founder of the private cultural institution Platform Innovation, was still in prison; a number of Belarusian human rights groups said his criminal prosecution was politically motivated;

- the presidential election that was held on October 11 did not result in violence against political opponents of the regime, but the election process did not meet a number of key international standards for democratic and free elections: there was no equal access to the media for all candidates, no impartial election commissions, administrative resources were actively abused in favor of the incumbent, a number of electoral procedures were closed to observers. The most important reason for criticism is the lack of transparency of vote count, which does not allow to consider the election results as the reflection of the will of the voters;

- Belarus continued the practice of handing down and executing death sentences. During 2015, human rights defenders received information about two death sentences: in the cases of Siarhei Ivanou of Rečyca and Ivan Kulesh of Lida district;

- in 2015, the government continued the practice of introducing elements of forced labor at the legislative level. The legislators approved President's Decree No. 3, which ordered certain categories of unemployed citizens to pay a special fee for reimbursement of the state's expenses in the social sphere. In the case of non-payment of such a charge, the citizens may be subject to administrative responsibility, including in administrative detention with compulsory labor;

- despite Belarus' active participation in the procedure for the second round of the Universal Periodic Review at the UN Human Rights Council, the government continued the policy of selective cooperation in the framework of the United Nations treaty obligations: views adopted by the UN Human Rights Committee in the cases of Belarusian citizens were not implemented by the authorities, while the mandate of the Special Rapporteur on the situation of human rights in Belarus, earlier established by the United Nations Human Rights Council, was ignored by the country's government.

1. Political prisoners and politically motivated criminal prosecution

During the first seven months of the year (until August 22), the country's prisons continued to hold six political prisoners: Mikalai Statkevich, Mikalai Dziadok, Ihar Alinevich, Artsiom Prakapenka, Yauhen Vaskovich, and Yury Rubtsou. All of them were recognized as prisoners of conscience by both Belarusian and international human rights organizations.

The release of all political prisoners was the key requirement of the EU and the US to the authorities of Belarus as one of preconditions to resume a meaningful dialog.

It should be noted that it was the release of these six prisoners that the Human Rights Center "Viasna" and other human rights organizations of the country insisted on. Representatives of the EU for a long time did not specify the number and the names of political prisoners whose release they sought. On January 23, Andrejs Pildegovičs, state secretary for Foreign Affairs of Latvia, said during his official visit to Minsk that the EU insisted on the release of three political prisoners: Mikalai Statkevich, Mikalai Dziadok, and Ihar Alinevich.

The Belarusian authorities, in turn, continued to deny the existence of any political prisoners in the country. This was repeatedly stated publicly by both President Aliaksandr Lukashenka and Foreign Minister Uladzimir Makei. The authorities also said that the presence of 'so-called political prisoners' was an obstacle to the normalization of relations with the West. In addition, various officials, including Aliaksandr Lukashenka, repeatedly, both publicly and non-publicly, expressed their position that the release of these prisoners could only take place after they file personal written requests for pardon to President. It should be noted that the Human Rights Center "Viasna" repeatedly stated that this requirement was contrary to the current legislation and the law enforcement practices.

However, when political prisoner Artsiom Prakapenka filed a petition to President Lukashenka, he was denied a pardon. In 2012, a similar request from Pavel Syramolatau, another convict in the same criminal case, was granted and he was released. As a result, Artsiom Prakapenka was released from prison on August 22, as a result of applying the procedure of pardon without any petitions, which once again confirmed an opinion that the issue of the release of political prisoners was of purely political, rather than legal nature.

During the first half of 2015, there was a significant intensification of foreign contacts of the official Minsk with the EU and the US. Belarus was visited by a number of high-level representatives of the EU, including Helga Schmid, the European External Action Service's Deputy Secretary General for Political Affairs, Sandra Kalniete, deputy head of the European People's Party group at the European Parliament, Eric Rubin, Deputy Assistant Secretary of State in the Bureau of European and Eurasian Affairs, and Andrea Rigoni, rapporteur on Belarus of the PACE Committee on Political Affairs and Democracy. The agenda of the talks, among other issues of mutual interest, included questions of the country's human

rights record, in particular the issue of political prisoners. As part of the negotiations on the situation in Ukraine in February, Minsk hosted a meeting of the German Chancellor Angela Merkel, French President François Hollande, Russian President Vladimir Putin and President of Ukraine Petro Poroshenko. Thus, Belarus became a negotiation platform for the settlement of the crisis in Ukraine, which was highly appreciated by the international community.

It should be noted that the Ukrainian-Russian crisis had a significant impact on the development of both the foreign and domestic situation in the country. It was in connection with the development of the crisis and the beginning of the military conflict between Russia and Ukraine that the Belarusian authorities began to pursue a foreign policy aimed at improving relations with the EU and the United States. The new geopolitical situation around Belarus played a significant role in the issue of the release of all political prisoners.

The very existence of political prisoners remained for the country's human rights organizations one of the most urgent problems in the field of human rights during the entire period of their stay in prison until their eventual release on August 22, 2015.

Almost all political prisoners faced pressure from the administrations of correctional institutions. This pressure was manifested in unjustified disciplinary penalties for alleged violations of internal regulations, including placement in disciplinary cells and so called 'cell-type premises'. The presence of such penalties led to the fact that all political prisoners received the status of 'offenders', which, in turn, deprived them of the right to pardon and parole. According to the Human Rights Center "Viasna", the pressure was of organized nature and was part of the policy of the current regime to fight its political opponents.

Courts ordered to strengthen the detention conditions of Mikalai Statkevich, Mikalai Dziadok, and Yauhen Vaskovich, and they were serving their sentences in maximum-security prisons, with Statkevich having been penalized twice.

On May 4, the Škloŭ-based penal colony No. 9 hosted a hearing, which considered the issue of changing the regime of detention of political prisoner Mikalai Statkevich. As a result, Judge Sviatlana Barantsava of the Škloŭ District Court ruled to change the prisoner's detention regime and sent Mikalai Statkevich to serve the rest of his sentence – 1 year, 7 months and 15 days — in prison.

The trial actually took place behind closed doors. Representatives of the media, human rights activists, including the chairman of the Human Rights Center "Viasna" and Vice-President of the International Federation for Human Rights Ales Bialiatski, lawyer Pavel Sapelka, as well as representatives of the European Union in Belarus were not allowed to attend the hearing. A prison officer told the audience gathered near the colony that the trial would be held behind closed doors and demanded to leave the territory adjacent to the facility. An exception was made only for Statkevich's wife Maryna Adamovich, who was allowed to attend the trial.

Later it became known that Mikalai Statkevich was transferred to prison No. 4 in Mahilioŭ, where he had arrived from the Škloŭ colony three months before.

Two political prisoners – Mikalai Dziadok and Yury Rubtsou – faced new criminal charges while serving their initial sentences.

On February 26, political prisoner Mikalai Dziadok was sentenced to an additional year in prison on charges of resisting the correctional institution administration. The verdict came just a few days before his expected release. The trial was held on the territory of the prison and was only attended by the prisoner's relatives.

It is worth recalling that the Human Rights Center "Viasna" has repeatedly criticized the vicious practice of applying these charges and wrote to the House of Representatives of the National Assembly of the Republic of Belarus asking to exclude Article 411 from the country's Criminal Code, as is often used selectively against prisoners who are not loyal to the administrations of correctional institutions or for political reasons, and provides for criminal prosecution for disciplinary offenses that do not pose a public danger.

On May 27, the Pružany District Court opened the hearing of charges brought against political prisoner Yury Rubtsou under Art. 415 of the Criminal Code ("evasion of serving punishment of restraint of liberty"). On May 28, a court verdict found Yury Rubtsou guilty of evasion from punishment and sentenced him to two years' imprisonment. Before the trial, Rubtsou was held in the detention center in Baranavičy, where he was on a hunger strike. Earlier, Rubtsou was sentenced to restriction of freedom under Art. 391 of the Criminal Code ("insult of a judge").

On June 10, human rights organization Amnesty International recognized Yury Rubtsou a prisoner of conscience, saying that it considered the new sentence handed down to him as part of a long-term campaign of persecution of civil society activists in Belarus. This authoritative international organization announced an urgent action to demand his release.

On August 22, six political prisoners – Mikalai Statkevich, Mikalai Dziadok, Ihar Alinevich, Yury Rubtsou, Artsiom Prakapenka, and Yauhen Vaskovich – were released from prison after they were pardoned by President Aliaksandr Lukashenka. It should be noted that all the six political prisoners were released from serving their sentences without removing their criminal convictions. In practice, this means that all of them can, under certain circumstances (commission of three administrative violations during the year, in case these offenses are punishable with administrative arrest), face preventive supervision, the violation of which may result in criminal responsibility. In addition, persons whose criminal convictions have not been removed have no right to run in the elections at all levels. Thus, the requirement of the EU to secure a full rehabilitation of political prisoners remained relevant as of the end of 2015.

The EU and the US welcomed the release of political prisoners, and as a retaliatory step suspended their sanctions against Belarus. The EU suspended the sanctions for four months, and the United States for six months. The Human Rights Center "Viasna" issued a special statement to welcome this step of the Belarusian authorities, calling for the authorities to take further steps aimed at improving the human rights situation in the country, as well as measures to restore civil and political rights of the former prisoners.

Despite the fact that no new politically motivated criminal cases were opened after August 22, a number of earlier criminal cases, which were considered by human rights organizations as being politically motivated, were not closed in 2015.

On August 6, the Court of Vaŭkavysk district extended the preventive supervision for another 6 months in respect of former political prisoner Mikalai Autukhovich. All complaints against gross procedural violations committed by the court were rejected by the authorities.

On August 11, law enforcement officers detained five youth activists: Maksim Piakarski, Vadzim Zharomski, Viachaslau Kasinerau, Yaraslau Ulyianenkau and a citizen of the Russian Federation Pavel (last name unknown), on suspicion of malicious hooliganism (Part 2, Art. 339 of the Criminal Code) and damage to buildings and structures (Art. 341 of the Criminal Code) associated with three episodes: inscribing graffiti "Belarus Must Be Belarusian" and "Revolution of Consciousness: It Is Near At Hand", as well as smearing a billboard with the image of police officers. The detention of the suspects was carried out at their places of residence and was accompanied by the disproportionate use of force and non-lethal weapons. The houses of the detainees were searched by police officers. Maksim Piakarski and Vadzim Zharomski were placed in a detention center, and then in the Ministry of Internal Affairs' jail No.

1. They were subjected to a preventive measure in the form of detention, while Viachaslau Kasinerau was in custody in hospital, where he was taken with the double fracture of the jaw and other injuries. As a result, the fact of police-related violence resulted in criminal charges against a police officer.

On August 20, Maksim Piakarski and Vadzim Zharomski were formally charged under Part 2, Art. 339 of the Criminal Code, and all the three episodes were combined into one case. In connection with these arrests and the detention of Maksim Piakarski and Vadzim Zharomski, the Human Rights Center "Viasna" issued a statement calling the detainees new political prisoners.

On August 31, Maksim Piakarski and Vadzim Zharomski, were released from pre-trial prison No. 1 in Minsk, after their preventive measure was changed. Both defendants were held in custody for more than 20 days.

Shortly after the detention, the Investigative Committee issued a statement in which it accused them of committing extremist actions, inciting ethnic and social hatred even before the completion of the investigation and the trial.

On December 9, Maksim Piakarski, Vadzim Zharomski, Yaraslau Uliyanenkau, and Viachaslau Kasinerau faced final charges.

The initial criminal charges against Maksim Piakarski for drawing political graffiti (Part 2, Article 339 of the Criminal Code, “hooliganism committed by a group of persons”) were replaced by Article 341, “desecration of facilities and damage to property.”

Yaraslau Ulyianenkau was cleared of all the charges.

Viachaslau Kasinerau and Vadzim Zharomski still faced charges under Part 2, Article 339 of the Criminal Code (hooliganism committed by group of persons), with the latter facing an additional charge under Article 341 of the Criminal Code.

It should be noted that an examination found no signs of extremism in the drawings.

On September 8, border officers detained Ales Mikhalevich, one of the presidential candidates in the 2010 election, as he was crossing the Belarusian-Lithuanian border. The politician was detained and handed over to the Interior Ministry, who had wanted him in a criminal case under Part 1. Art. 293 of the Criminal Code (“organization of mass riots”).

Ales Mikhalevich was returning from the Czech Republic, where he asked for political asylum in 2011. On the same day, the investigating authorities changed the measure of restraint and released Mikhalevich on bail, but the case against him has not been closed yet. It should be noted that Ales Mikhalevich is the last person involved in the case of "mass riots" opened following the events of December 10, 2010. All the other persons convicted over the protest were either pardoned and released from prison or were released in connection with the expiration of their terms of imprisonment or in respect of which the proceedings were dismissed. After being released from the KGB detention center in 2011, Mikhalevich said publicly about torture and ill-treatment against him and other defendants in the case, which were held in custody. As of the end of 2015, the criminal case was not closed.

Aliaksandr Alesin, journalist and columnist of the Belorusy i Rynok weekly, still faced criminal charges.

The journalist was detained by the KGB in a cafe in Minsk on November 25 while allegedly transferring classified materials to a representative of one of the EU embassies in Belarus. Aliaksandr Alesin was detained on suspicion of committing a crime under Art. 356 of the Criminal Code (“high treason”) and placed in the KGB detention center in Minsk. Aliaksandr Alesin was released from custody on December 10 and the charge against him was changed to Art. 356.1 (“establishment of cooperation with foreign intelligence agencies without signs of treason”). The authority in charge of the criminal prosecution

forced the journalist, contrary to the rules of criminal procedure legislation, to sign a subscription not to disclose the investigation materials. Thus, under the threat of criminal prosecution, Alesin was afraid to make any comments on the case, including in respect of his procedural status.

We should also mention the criminal case of Mikhail Zhamchuzhny, the founder of a private cultural institution “Platform Innovation”, an NGO that monitored places of detention. For a long time human rights organizations of Belarus did not have any information on the case, the situation was complicated by the fact that the trial was held behind closed doors, and the personality of Mikhail Zhamchuzhny and its activities were little known in the country’s human rights community.

A sentence of October 7 by the judicial board for criminal cases of the Viciebsk Regional Court, in view of the changes made to the verdict by the Supreme Court on October 23, sentenced Mikhail Zhamchuzhny to 6.5 years of imprisonment in a penal colony under strict regime with a deprivation of the right to hold positions related to the implementation of organizational and administrative duties. In accordance with the verdict, Mikhail Zhamchuzhny obtained official documents with information that, according to him, were of public interest, e.g. information on criminal cases opened against officials, a summary of incidents involving law enforcement officials, a special report on the sudden death of a citizen in the temporary detention facility etc. All the alleged episodes of illegal activities were committed by Mikhail Zhamchuzhny as part of a sting operation under the control of the KGB’s Viciebsk regional department, the ultimate aim of which was to reveal his connections with foreign citizens. At the same time, these illegal actions were not stopped by the authorities, allowing the accused to complete them in order to identify his communication channels and checking his involvement in the commission of a more serious crime under Art. 358 of the Criminal Code (espionage).

On December 7, representatives of the country’s seven leading human rights organizations issued a joint statement saying that the prosecution of Mikhail Zhamchuzhny was groundless and politically motivated, and demanding an immediate revision of the court verdict and observance of the right to a fair trial. According to the human rights defenders, the closed trial resulted in the concealment from the public of questionable practices by the law enforcement authorities.

On December 9, the Human Rights Center "Viasna" and the International Federation for Human Rights (FIDH) issued a joint statement in which they called on the authorities to close all politically motivated criminal cases and launch systemic reforms in the field of human rights. On the same day, the country’s human rights organizations issued a statement urging the authorities to cease the politically motivated criminal prosecution of Ales Mikhalevich, Aliaksandr Alesin, Maksim Piakarski, Vadzim Zharomski, and Viachaslau Kasinerau, and to review in an open trial the criminal case against Mikhail Zhamchuzhny.

2. Cooperation and fulfillment of international obligations under the UN treaty procedures

Due to the fact that Belarus is not a member of the Council of Europe and is therefore outside the European regional human rights system, the only international human rights system used for the protection of human rights is the system of the United Nations. Belarus is a member of the United Nations and a party to most international treaties, the International Covenant on Civil and Political Rights, in particular. However, despite this, Belarus for many years has demonstrated a selective approach to the fulfillment of its international obligations in the field of protection of human rights within the UN procedures.

In 2015, the Republic of Belarus passed the second round of the Universal Periodic Review (UPR) at the UN Human Rights Council. The hearings on Belarus were held in the United Nations Human Rights Council in Geneva on May 4. The position of Belarus was announced by a representative delegation headed by Deputy Foreign Minister Valiantsin Rybakou with the participation of officials from the Ministry of Justice, Ministry of Health Care, Ministry of Labor and Social Security, Ministry of Information, Ministry of Interior, Department of Corrections and the Supreme Court. They noted the

importance of the UPR for Belarus, spoke about the measures taken to implement the recommendations that were made in 2010, and answered questions from other states.

The human rights organizations of Belarus took an active part in the procedures of preparation for the second round of the UPR. A coalition of eleven human rights organizations had prepared an alternative report on the general human rights situation in the country and several thematic reports: the Center for Legal Transformation *Lawtrend* together with the Assembly of NGOs – on freedom of association, the Office for the rights of people with disabilities and the human rights project "Gay Belarus" – on discrimination, the Belarusian documentation center – on enforced disappearances.

These reports, together with the national report, prepared by the Foreign Ministry of Belarus, were presented to the Office of the High Commissioner for Human Rights.

In addition, the human rights activists worked out recommendations to the government of Belarus in the framework of the UPR. This document, containing 48 recommendations in various fields of human rights, was presented by representatives of the Belarusian human rights organizations (Belarusian Association of Journalists, Human Rights Center "Viasna", Belarusian Human Rights House, human rights project "Gay Belarus") in Geneva within the pre-session (preliminary hearings on Belarus) on April 9. The event aroused great interest and was attended by 41 national delegations of the UN Human Rights Council.

As part of the procedures for the second round of the UPR in 2014, there were a number of meetings with representatives of the Belarusian Foreign Ministry and non-governmental organizations that participated in the preparation of the alternative report. However, unregistered organizations, including the Human Rights Center "Viasna", were not invited. This again emphasizes the selective approach of the authorities in cooperating within the UN framework.

It should be noted that the UPR is one of the few procedures recognized by the official authorities of Belarus in the framework of its United Nations treaty obligations.

Also, as a positive example of cooperation in the framework of the country's treaty obligations, one may cite the fact that for the first time since 1997 Belarus prepared a report to the United Nations Human Rights Committee on the implementation of provisions of the International Covenant on Civil and Political Rights. In accordance with this procedure, member states shall every four years submit to the UN HRC reports on the implementation of the Covenant.

In developing the list of questions, Belarusian NGOs were able to prepare a report with suggestions on what questions could be asked to the state. The coalition of Belarusian human rights organizations had analyzed the human rights situation, developed a number of recommendations and submitted its report to the Human Rights Committee in April 2015. It is important to note that many of the questions prepared by Belarusian NGOs as a result were included in the list of questions of the Human Rights Committee to Belarus, which was adopted in July 2015.

However, during 2015 the government continued the policy of non-recognition and ignoring the mandate of the Special Rapporteur on the human rights situation in Belarus, an authority established by the United Nations Human Rights Council on July 5, 2012. The UN Special Rapporteur was not allowed to enter the country and was not able to obtain information on the human rights situation from the government representatives. Representatives of the country's human rights organizations, in turn, actively cooperated with both the country and thematic rapporteurs of the United Nations.

On June 23, as part of its 29th session the UN Human Rights Council heard the report of the Special Rapporteur on Belarus, Miklós Haraszti, about the current human rights situation in the country. In his introductory remarks, Mr. Haraszti said the human rights situation inside Belarus showed no signs of improvement as the Government had not addressed any of the entrenched and systemic violations, nor

had it created an environment for free and fair elections. Particularly endangered were the rights to freedom of expression, association and assembly, the rights to just and favorable conditions for work, and the freedom to choose one's workplace. "Compared to previous years, some positive developments had taken place, such as fewer persons incarcerated for long prison terms in retaliation for their political activities, and the release of the leader of a major human rights organization," said he. Nevertheless, the Special Rapporteur urged the Belarus authorities not only to release, but also to fully rehabilitate all political opponents who were imprisoned.

On July 4, the Human Rights Council adopted a resolution extending the mandate of the Special Rapporteur on Belarus for one year. In its resolution, the Council also expressed deep concern over the ongoing human rights violations in Belarus, which are "systematic and systemic." It called on the government of Belarus to carry out reforms of the judiciary and the bars to secure full independence and impartiality of the courts, to ensure the presumption of innocence and the right to a fair trial.

The Council also urged the government of Belarus to release and fully rehabilitate all political prisoners in Belarus, and to establish a national human rights institution in accordance with the Paris Principles.

A negative example of a selective approach to the implementation of its obligations under the UN treaties is the failure of the authorities to implement the Views (decisions) of the UN Human Rights Committee adopted as a result of considering the individual complaints by the citizens of Belarus. This problem is systematic and systemic. In recent years, Belarus, despite the recognition of the authority of the Committee as a result of the ratification of the First Optional Protocol to the International Covenant on Civil and Political Rights, has not complied with any one the Committee's decisions.

Thus, among other things, the government is actually negating a provision of the Constitution, which guarantees the right of a citizen of the country in accordance with international legal acts ratified by the Republic of Belarus to appeal to international organizations to protect their rights and freedoms, if all available legal remedies have been exhausted (Article 61 of the Constitution).

3. Presidential election

On July 1, the presidential election campaign started in Belarus and "Human Rights Defenders for Free Elections" launched an observation campaign.

On July 17 and 20, the Central Election Commission registered eight nomination groups out of fourteen applicants. In particular, the CEC refused to register the nomination group of political prisoner Mikalai Statkevich.

By July 17, local authorities had decided on the places where collecting signatures by members of nomination groups would be prohibited. These decisions demonstrate the absence of a uniform approach to the practice of selecting such places, but, in general, did not considerably restrict the rights of campaign activists.

By July 22, the joint meetings of the Councils of Deputies and the Executive Committees formed territorial election commissions. Only 10 members of the opposition parties became members of a total of 153 commissions; most of the 1,916 TEC members are representatives of labor collectives and five pro-government NGOs – Youth Union, Belaya Rus, Federation of Trade Unions, the Union of Women, the Association of Veterans, which by definition do not have a political objective in their work.

On July 23, election officials announced the beginning of a campaign of collecting signatures by initiative groups to nominate candidates for the presidency. Observers documented violations committed by the nomination group of the incumbent President, which were associated with the use of administrative resources.

There were cases of pressure on campaign activists who collected signatures in support of the nomination of opposition politicians.

On August 21, nomination groups completed events to gather signatures in support of presidential contenders. Collection of signatures in support of Aliaksandr Lukashenka was accompanied by pervasive use of administrative pressure on voters and took place in the workplace during working hours and on the initiative of the management of state-owned enterprises.

Of the eight nomination groups, signatures were submitted to the territorial election commissions by only five election headquarters: Aliaksandr Lukashenka, Tatsiana Karatkevich, Siarhei Haidukevich, Viktar Tsiareshchanka, and Mikalai Ulakhovich. Observers were excluded from participation in the process of verification of signatures.

By August 26, local executive bodies had created precinct election commissions. The selection process was extremely formal; only 6% of representatives (31 people) nominated by opposition political parties were eventually included in the PECs. Thus, the opposition was represented in as few as 0.5% of election commissions.

Local authorities decided on the choice of locations for campaigning by presidential candidates; there was no uniform practice or common criteria for the determination of such places; decisions of local executive bodies were often inconsistent and restricted candidates' ability to campaign. In general, such restrictions violated the citizens' right to peaceful assembly.

In September, election officials completed the verification of signature sheets in support of the nomination of presidential candidates; on September 10, the CEC registered four presidential candidates: Aliaksandr Lukashenka, Tatsiana Karatkevich, Siarhei Haidukevich, and Mikalai Ulakhovich.

Already in September, human rights defenders documented preparation for coercion of voters to vote at individual companies and organizations.

Campaigning for the incumbent was accompanied by numerous instances of the use of administrative resources and the resources of state-owned media.

36.05% of voters took part in the early voting campaign, which set the record for early voters as compared to the previous presidential campaigns of 2001, 2006 and 2010. In fact, early voting has become a norm, which does not meet the requirements of the Electoral Code. During early voting, observers of the campaign "Human Rights Defenders For Free Elections" witnessed numerous cases of coercion of citizens to participate in it perpetrated by the managers of enterprises and heads of education institutions. There were cases of overstatement of voter turnout at some polling stations.

In general, according to the campaign "Human Rights Defenders For Free Elections", the electoral process did not meet a number of key international standards for democratic and free elections. This was due to the lack of equal access to the media for all the candidates, lack of impartiality of election commissions, use of administrative resources in favor of the incumbent, numerous facts of coercion of voters to participate in early voting, opaqueness of some election procedures for observers. Numerous complaints filed by the observers were left without adequate response from election commissions and the prosecuting authorities.

4. The death penalty

Despite fierce criticism from national and international organizations, Belarus still uses legislation providing for the death penalty as an exceptional measure of punishment, as well as the practice of enforcement of sentences. The punishment is executed by shooting on a day unknown either to the convict or his relatives. The place of burial remains a secret; relatives cannot recover the body for burial, but only receive the convict's prison clothes, in which he was awaiting the punishment.

In January, Volha Hrunova, the mother of Aliaksandr Hrunou, who was executed on charges of murder, received first answers to her petitions demanding to amend legislation prohibiting the disclosure of the burial place of executed prisoners. Liliya Maroz, Chairperson of the Standing Committee for legislation and state construction of the Council of the Republic of the National Assembly, said that there were no contradictions of the national legislation with the country's Constitution and the International Covenant on Civil and Political Rights.

Deputy Chairman of the Supreme Court Valery Kalinkovich responded to the woman's petition in just one sentence: "The Supreme Court sees no reason to introduce a proposal to the Constitutional Court on the constitutionality of the question raised."

Liudmila Mikhalkova, Chairperson of the Standing Committee for Legislation of the House of Representatives of the National Assembly of Belarus, said that a refusal to issue the body for burial and a failure to report the burial site could not be regarded as a criminal sanction appointed by a court. Non-issuance of the body can be treated as a separate administrative and legal enforcement decision, wrote Ms. Mikhalkova. In such cases, the refusal serves as a measure of an administrative nature, which has a preventive purpose and at the same time is a definite limitation of the rights guaranteed by the Constitution, the MP said. At the same time, she argued that the execution of a death verdict should be carried out so as to inflict the minimum possible suffering: "Obviously, this refers not only to the suffering of the convict, but also of other people."

The Presidential Administration refused to initiate before the Constitutional Court the question of changing the legislation prohibiting relatives of death convicts to receive the body for burial. "The limitation, which is established by Article 175 of the Criminal Executive Code, is dictated by the need to ensure public order and the protection of morals, because the information about the burial place of a convicted person may provoke negative behavior on the part of relatives and friends of the victims of a crime, as well as lead to other excesses," said the Presidential Administration representative. A similar reply was issued by the Council of Ministers: "Please be informed that the Presidium of the Council of Ministers decided to dismiss your request for a proposal to the Constitutional Court on the audit of Article 175 of the Criminal Executive Code for compliance with the Constitution."

Volha Hrunova could not achieve a solution to the painful question through the court system. In early February, Judicial board on civil cases of the Homel Regional Court refused to verify her claims, upholding the verdict of the Tsentralny District Court of Homel, which refused to institute civil proceedings against the Homel Regional Court and the Department of Corrections, who refused to disclose the burial place of her son Aliaksandr Hrunou. Volha Hrunova filed a supervisory appeal to the Chairman of the Homel Regional Court Siarhei Shautsou and simultaneously submitted a complaint to the United Nations Human Rights Committee. Volha Hrunova asked the Committee to establish the fact of cruel, inhuman or degrading treatment by the state, and to recommend to the Government of Belarus to bring national legislation and practice in this part in accordance with the international obligations of the country.

In February, a similar attempt to initiate a change in the law on extraditing the bodies of executed prisoners and receiving information about the place of their burial was launched by Tamara Sialiun, mother of Pavel Sialiun, who was executed in the spring of 2014. She also petitioned the authorities possessing the right to appeal to the Constitutional Court with a proposal to change the law regarding the ban on issuing the body of executed prisoners and disclosing the place of their burial. A response to her appeal to the Standing Committee on Legislation of the House of Representatives and the Standing Committee on Legislation and State Building of the Council of the Republic of the National Assembly of the Republic of Belarus said that there were no reasons for changing the provision, as it is consistent with the Constitution and the international obligations of Belarus.

On March 18, the Homieĺ Regional Court sentenced Siarhei Ivanou, 21, to death on charges of murder and rape. The trial was held behind closed doors. The defendant's appeal against the sentence was later dismissed by the Supreme Court.

On October 15, the United Nations Human Rights Committee confirmed the registration of a communication submitted by Andrei Paluda, coordinator of the campaign "Human Rights Defenders Against the Death Penalty in Belarus", on behalf of Siarhei Ivanou, who was sentenced to death earlier this year. The UN Committee said that the communication was registered and a copy was sent to the State party. The Committee also said that, "under rule 92 of the Committee's rules of procedure, the State party was requested not to carry out Mr. Sergey Ivanov's (Siarhei Ivanou's) death sentence while his case is under consideration by the Committee".

The Ministry of Foreign Affairs replied to Andrei Paluda, coordinator of the campaign "Human Rights Defenders Against the Death Penalty in Belarus", who earlier notified the MFA about the registration of an individual communication submitted to the United Nations Human Rights Committee on behalf of Siarhei Ivanou, a resident of Rečyca sentenced to death in March 2015. The human rights activist stressed that, in accordance with the Committee's Rules of Procedure, the state should not execute the death sentence, pending consideration of the convict's complaint by the Committee. The Ministry said in its reply that it informed the Supreme Court, the Prosecutor General's Office and the Ministry of Interior about the registration of the complaint.

Earlier, Andrei Paluda received replies from the Prosecutor General's Office and the Interior Ministry. They refused to consider his petition, citing the fact that the human rights defender failed to submit a power of attorney for the right to represent Siarhei Ivanou. The power of attorney had been signed by the convict, but was not sent by the Department of Corrections to the human rights defender. Andrei Paluda said that that after the Ministry of Foreign Affairs had informed the competent authorities, international rules should be met in respect of Siarhei Ivanou, namely, that the death penalty will not be executed while his communication is considered by the UN Human Rights Committee.

In May, it was announced that the United Nations Human Rights Committee found a violation of the right to life in relation of a Hrodna resident Aleh Hryshkautsou.

On 14 May 2010, a judgment of the Hrodna Regional Court sentenced Aleh Hryshkautsou and Andrei Burdyka to death. On 25 May 2011, it became known that the sentence against both convicts had been carried out despite the registration of Hryshkautsou's individual communication in the UN HRC in 2010 and the Committee's urgent measures of protection in accordance with procedure 92, of which the Belarusian MFA and other government agencies were notified.

This is the fourth observation taken by the UN HRC on individual communications of Belarusian citizens to find a violation of the right to life and the right to a fair trial, the right to defense and the use of torture against the claimant.

In the framework of the Week Against the Death Penalty, a series of events were held in Belarus, as well as in Lithuania, Poland, Ukraine and Kazakhstan from 5 to 10 October. On October 9, human rights activists held a press conference in Minsk, which was dedicated to the World Day Against the Death Penalty.

On November 20, Hrodna Regional Court chaired by Judge Anatol Zayats sentenced to death a resident of Lida District Ivan Kulesh. He was accused of committing three murders, theft and robbery. Ivan Kulesh, 28, was raised in an orphanage and had only 9 grades of school education. At age 18, he was convicted for the first time for theft. In 2014, he was accused of theft and false denunciation. The defender asked the court to sentence the defendant to 25 years' imprisonment, taking into account that Kulesh signed a confession and cooperated with the investigation.

In this regard, the Council of Europe said that deeply regretted the verdict and urged the Belarusian authorities to impose a moratorium on the death penalty without delay. The EU External Action Service published a statement by the press secretary of the death penalty in Belarus, which expressed concern about the imposition of another death sentence in Belarus and reminded the authorities about the inhumanity of capital punishment. Amnesty International announced an urgent action against the death penalty handed down to Ivan Kulesh, calling to seek the abolition of the death sentence.

The United Nations Human Rights Committee published a decision in response to a complaint by Pavel Sialiun, who was sentenced to death on 12 June 2013. The author's interests were represented by coordinator of the campaign "Human Rights Defenders Against the Death Penalty in Belarus" Andrei Paluda. The Committee noted that the right to life under article 6 of the Covenant on Civil and Political Rights was violated because the author was sentenced to death as a result of an unfair trial.

The Committee notes in its Views that notes that the State party failed to respect its "request for interim measures by executing the author before the Committee had concluded its consideration of the communication."

In December, the Human Rights Center "Viasna" received information that Pyotr Ivanik, a Russian national, who had been sentenced to death in the United Arab Emirates, was awaiting extradition in jail No. 1 in Minsk. The First Secretary of the Russian Consulate in Belarus confirmed the fact in a telephone conversation with the coordinator of the campaign Human Rights Defenders Against the Death Penalty in Belarus" Andrei Paluda. The diplomat said the consulate was also contacted by Pyotr Ivanik's relatives. He assured that the consulate would monitor the case and thanked the human rights defenders for their pro-active attitude. The First Secretary promised to cooperate with the campaign in the Russian national's case.

In December, the UN Human Rights Committee registered an individual communication submitted by Volha Hrunova, the mother of Aliaksandr Hrunou, who was executed in 2014. The death convict's mother appeals against a violation of her son's right not to be subjected to cruel, inhuman, degrading treatment and the right to a fair trial. The communication was sent to the State party for comments on the merits.

5. Violations of freedom of association, harassment of human rights defenders

During 2015, there were no changes, either in legislation or in law enforcement, in the field of freedom of association. Bodies of the Ministry of Justice, as in previous years, demonstrated politically motivated selectivity when considering the registration of the newly created non-governmental organizations.

The current national legislation governing the creation and registration of public associations and political parties provides for the refusal to register due to minor errors, discrepancies in registration documents, which are not ineradicable in their essence. At the same time, the provision of a deferment to correct such inaccuracies and errors is a right, not an obligation of the registration authorities. In practice, this leads to a failure to register the association on the grounds, which are in no way associated with the permissible restrictions on freedom of association as established by Article 5 of the Constitution of Belarus and Article 21 of the Covenant on Civil and Political Rights.

In 2015, there were numerous politically motivated refusals to register NGOs. Moreover, in some cases it was not the first refusals of registration authorities with respect to these initiatives.

In June, the Supreme Court confirmed a ban on the registration of the public association "For Fair Elections". This was the third attempt of registration of the public association since 2011. Earlier, the United Nations Human Rights Committee recognized the refusal to register the association "For Fair Elections" a violation by Belarus of Article 21 of the International Covenant on Civil and Political Rights.

On August 14, the Ministry of Justice again (for the fifth time) refused to register the party "Belarusian Christian Democracy". It is worth recalling that since 2000 the Belarusian authorities have not registered a single new political party.

The civil campaign "Tell the Truth" was for the fourth time denied state registration as a public association. The Ministry of Justice argued that some of the documents provided by the campaign did not comply with legislation. Among them – lack of signature of the association's head in separate documents. Representatives of "Tell the Truth" said that the violations were remediable, while the law says that the grounds for refusal of registration can only be an irremediable violation. Moreover, the registration authority refused to grant a reprieve in order to correct these shortcomings in the constituent documents.

On December 1, the Main Directorate of Justice of the Minsk City Executive Committee denied state registration to the cultural and educational public association "New Alternative". The reason for the decision was a mismatch between the organization's name and the objectives specified in its charter.

In addition, a significant obstacle to the registration of public associations is the requirement to register the legal address of an organization in the non-residential premises. In some cases, the loss of such an address could result in the dissolution of associations by a court ruling.

In particular, the Mahilioŭ Human Rights Center, the only registered regional human rights organization in Belarus, was on the verge of closure. From 10 to 17 March, the Mahilioŭ Regional Court held the consideration of a lawsuit lodged by the justice department of the Mahilioŭ Regional Executive Committee to dissolve the NGO. The lawsuit stemmed from a problem with the legal address faced by the organization. As stated in the lawsuit, the Center, carrying out its activities, violated the law, namely failed to submit to the Department of Justice documents necessary for state registration of the change of legal address which was introduced in the Charter of the organization. The lawsuit further said that on 5 December 2014 the NGO was not located at the address specified in the Statute, as the lease agreement had been unilaterally canceled by the lessor. Thus, the Mahilioŭ Human Rights Center actually lost the premises to for its governing body, and the main department of justice did not receive the documents required for registering a new address. In late 2014, the Regional Department of Justice tried to suspend the activities of the organization, but the human rights defenders managed to solve the problem: they signed a new lease agreement, which, however, was soon broken by the lessor. Uladzimir Krauchanka, head of the NGO, is sure that all the owners of the premises who terminated rent contracts made it illegally, under pressure from local authorities. During the trial, he was able to receive a letter of guarantee from the new landlord who gave his consent to provide a new legal address in order to make changes to the statutory documents of the organization, and a new lease agreement. This was the basis for the suspension of the proceedings by mutual agreement of the parties. As a result, the lawsuit was withdrawn and the case was dismissed.

During the year, there was one case of issuing an official warning about criminal responsibility under Art. 193.1 of the Criminal Code ("illegal organization of public association, religious organization or foundation or participation in their activities"). On June 26, the apartment of Siarhei Nikalayenka, the pastor of a Protestant Church "Transfiguration", was searched by the police. According to police officers, the search was conducted as part of a preliminary investigation of the criminal case under Art. 193.1. In July, the Homieĺ City Prosecutor's Office issued a written warning to Siarhei Nikalayenka for activities on behalf of the unregistered religious group.

The criminalization of activities of unregistered associations remained one of the most serious restrictions on freedom of association in the country. Apart from that, another serious problem faced by the country's non-profit organizations was the ability to access foreign donations.

On September 2, Aliaksandr Lukashenka signed Decree No. 5 "On Foreign Donations", which approved the new Regulation on the receipt, accounting and registration of foreign gratuitous aid, monitoring its receipt and proper use, as well as the registration of humanitarian programs. The Decree did not change the procedure for obtaining foreign assistance by civil society organizations – such help, as before, must be registered with the Department of Humanitarian Affairs of the Office of the President. The use of foreign aid without such registration or without permission to use it still constituted an administrative offense, while repeated violation within one year may result in criminal penalties. In addition, the new Decree, as before, does not mention human rights activities as such among the goals of spending such funds. All the "other" goals are only possible in consultation with the Office of the President, or with the President himself (for amounts exceeding 500 base rates on the date of their receipt).

During the year, there were several facts of pressure and harassment of citizens engaged human rights work.

In January, human rights activist Alena Tankachova, head of the Center for Legal Transformation *Lawtrend*, tried to challenge a decision of 5 November 2014 by the Pieršamajski District Police Department to expel her from Belarus for three years. The trial lasted three days, and, as a result, on January 13 Judge Natallia Petukh of the Pieršamajski District Court ruled to dismiss the human rights defender's complaint. The harassment of the human rights defender stemmed from several minor traffic violations.

On January 22, Alena Tankachova filed an appeal to the Civil Chamber of the Minsk City Court against the decision to expel her from the country. Her stay in Belarus was extended until February 21. However, her appeal was rejected and she was forced to leave the country. A Russian national, Alena Tankachova has lived in Belarus for about 30 years. For 20 years, she has headed the Center for Legal Transformation, which provides professional legal and expert support to non-profit organizations in Belarus, as well as in situations of human rights violations. Belarusian human rights activists regarded the expulsion of their colleague as persecution for her principled stance in assessing the human rights situation in the country and demanded to lift the ban.

On April 8, the civil society and political center in Homieĺ, which hosts several NGOs, was searched by local police. The police also searched the apartment of human rights activist Leanid Sudalenka. They took a system unit and a laptop. The formal reason for the raid was alleged dissemination of a pornographic video.

The allegations of distributing pornographic materials from Leanid Sudalenka's e-mail addresses, control over which he lost back in December 2014, became the basis for opening a criminal case. The human rights activist said that this was provocation aimed at creating obstacles to his human rights activities. The criminal charges were eventually dropped, but Leanid Sudalenka faced more harassment from the government.

On May 24, Belarusian border guards searched the car of human rights defender Leanid Sudalenka. As a result, the officers seized a laptop. The human rights activist was returning from the Non-Profit Law Forum, which was held in Vilnius on May 23-24.

On August 25, Leanid Sudalenka was returning home from Vilnius. After crossing the border, border guard said that L. Sudalenka should leave the train at the next station and follow them to undergo customs control in the form of personal inspection. However, the officers offered no explanation of the reasons for this kind of customs control.

At around 9 p.m., at the station of Maladziečna, L. Sudalenka was violently taken out of the train, brought to the premises of the customs inspection, where he was subjected to personal examination. The inspection found nothing illegal or things that are subject to mandatory customs declaration. As a

result, Leanid Sudalenka had to return home by another train, the fare was not compensated. This is not the first case when L. Sudalenka is searched at the border. In May, during customs control, officers seized Sudalenka's personal laptop, in connection with which the human rights activist filed a complaint with the court of Ašmiany district and later an appeal to the Hrodna Regional Court.

Apart from that, the human rights activist continues to face pressure from the tax authorities. In particular, the tax authorities of the Homieĺ district ordered Leanid Sudalenka to submit a declaration of income and property for the period of 10 years. Moreover, the decision had a heading "For official use only". Earlier, Sudalenka filed a report to the tax office to declare his income until 2012 inclusive. In this regard, the human rights activist appealed to the court of the Saviecki district of Homieĺ in order to oblige the tax office to declassify information about who was the initiator of the tax audit. On August 26, the court dismissed the complaint. As a result, the human rights defender faced administrative charges.

Later, all the administrative charges against the human rights activist were dropped and the laptop seized by the customs officers was returned to the owner.

In March, Mahilioŭ police seized computers from chief editor of an online publication "Nash Mahilioŭ" Ihar Barysau in the framework of a probe launched as a result of a request to prosecute the author of one of the articles of this edition. Three more computers were removed from the office of local human rights defenders, which was frequented by Ihar Barysau. All the equipment was searched for illegal content. The keywords that were used in search queries suggest that the true purpose of seizing the computers was receiving information about the activities of the Human Rights Center "Viasna".

6. Restrictions on freedom of assembly, freedom of expression, freedom of conscience

During 2015, freedom of assembly was still arbitrarily restricted in Belarus.

Except for permission to hold a few traditional annual events (the demonstration on Freedom Day, "Čarnobyĺski šliach", Dzyady demonstrations and rallies in Minsk), peaceful assemblies arranged by the political opposition were banned across the country. Their applications were not satisfied for formal or frivolous reasons. During the year, the government did not give permits for public events of different subjects – political, social, labor, cultural, which gives grounds to assert that the prohibition of any public events remained a means of reducing civic activity and restricting freedom of expression.

The situation in this regard was not changed by a few pickets allowed in specially designated remote places generally located on the outskirts of cities. In February 2015, local executive bodies in a number of regions adopted new rules on the procedure of holding mass events, most of which concerned the definition of new venues for public events. As a rule, new places were even more unsuitable to attract the attention of the public and the relevant authorities to the problems that the applicants sought to raise. For example, the new venue in Svietlahorsk is "the right tribune of the Papiernik stadium of youth sports school No. 2." The stadium is surrounded by a fence, while the authorities received an additional reason for banning protests – sport competitions. In Baranavičacy, this is a totally unsuitable playground of an old park, with almost no people walking by and a construction underway.

A mass event was allowed in Kapyĺ. Local activist Viktar Dashkevich was able to obtain permission to hold a peaceful assembly against violations of the Constitution of the Republic of Belarus. However, he was only able to stage his protests on a deserted stadium and was forced to pay 500,000 rubles for services associated with the picket. It is worth mentioning that according to the international standards responsibility for maintaining public order during public events rests with the State.

A clear restrictions on the right to peaceful assembly is the excessively complicated (and burdened by high material costs for the applicants) procedure for obtaining authorization under the Law "On Mass Events": when applying for public events the organizers need to conclude contracts for maintaining

public order, when the police assume the duties already assigned to them by the relevant legislation; medical aid, when an ambulance should be present at the venue of the mass event, even if it is a single picket; and a clean-up of the territory (regardless of the expected number of participants). The cost of these services, for example, for events on Freedom Day in Minsk exceeded 21 million rubles. The absence of such agreements is the most common cause of banning the assemblies.

Some applicants refuse to sign the agreements, believing that they should not pay for the services financed from the budget: for this reason, employees of the Polack-Šklovalakno company were not allowed to stage a picket on February 12 in order to campaign for the suspension of President's Decree No. 5.

At the same time, there were repeatedly documented cases of refusals by these services to sign the contracts. For example, this resulted in bans on a number of pickets in Hrodna, which were expected to be held by members of the United Civil Party; three pickets were banned in February 2015, which were prepared by members of the CCP BPF in Viciebsk. The organizers were going to address Belarus' membership in the Eurasian Economic Union. For the same reason, local authorities banned Freedom Day activities and a march by the CCP BPF Party to mark the anniversary of the Chernobyl disaster. In May, the Brest City Executive Committee and the Orša District Executive Committee did not allow local activists of the United Civil Party to hold pickets against forced labor.

Appeals against the bans were in all cases rejected by the courts. Further appeals against the decisions under cassation and supervisory procedures did not give results.

At the same time, at the international level such actions were repeatedly interpreted as a violation of the rights of Belarusian citizens by the state. The United Nations Human Rights Committee continued to recommend the Belarusian government to provide effective remedies for the victims of violations, including the revision of domestic laws and taking measures to prevent the commission of similar violations in the future.

Here are some of them. On January 15, the United Nations Human Rights Committee issued a decision on communication No. 1987/2010, according to which the Republic of Belarus was recognized as violator of the rights of civil society rights activist Anatol Stambrouski.

In December, a similar decision was taken in the case of Taras Surhan, where the Committee found a violation by Belarus of the right to freedom of expression under paragraph 2, article 19 of the International Covenant on Civil and Political Rights.

The HRC found a violation of the rights of Pavel Kazlou and others to peaceful assembly: the case dealt with a ban on a picket in Brest.

In the case of Yauhen Puhach, the United Nations Human Rights Committee found that Belarus had violated paragraph 2, article 19 (freedom of expression) and article 21 (freedom of assembly) of the International Covenant on Civil and Political Rights. Belarus is expected to provide the activist with adequate compensation, and to take measures to prevent similar violations in the future, including the revision of the law on mass events.

In December, the Committee found that the Belarusian government had for the sixth time violated the rights of human rights defender Leanid Sudalenka.

Illia Dabratvor received a message from the United Nations Human Rights Committee about the registration of his complaint of a violation of the activist's rights to freedom of assembly and freedom of expression. Similar messages about the registration of their communications were received by human

rights activist Uladzimir Khilmanovich and distributor of the Viciebski Kurjer newspaper Mikhail Zhurauliou.

It is necessary to emphasize the selective character of the authorities' actions in the field of freedom of peaceful assembly: in March 2015, they banned public rallies on Freedom Day in Hrodna, Viciebsk, Biaroza, Lida and other cities, a meeting in Minsk, at the same time, permitting a demonstration Minsk. The same principle prohibited was used to ban several events on the anniversary of the Chernobyl disaster in the regions, allowing a march in Minsk.

Despite the peaceful nature of the events and observance by both the organizers and the participants of the requirements put forward by the officials, the authorities did not always refrain from arbitrary detentions, both during and after the events.

Opposition activists who staged pickets and peaceful assemblies without appropriate permission from the authorities were subjected to fines and imprisonment. Some of them faced such penalties on a number of occasions.

As a result of a picket staged at the Taras Shevchenko monument in Minsk, a number of opposition activists were convicted of administrative offenses: Maksim Viniarski – 15 days, Ales Makayeu – 15 days, Mikalai Kolas – 10 days, Yuahen Batura – 10 days, Volha Mikalaichyk – 5 days.

On May 11, opposition activist Leanid Kulakou was brought to administrative responsibility for organizing and holding an unauthorized picket. The activist was sentenced to an administrative penalty in the form of administrative arrest for a period of 7 days for displaying a flag and a poster "Invaders Out" on the Mound of Glory memorial complex near Minsk on the eve of the arrival of representatives of the Russian motorcycle club "Night Wolves". On May 12, he was sentenced to an administrative penalty of a fine in the amount of 5.4 million rubles for posting a banner "Freedom for Political Prisoners". In June, he was punished by 10 days of administrative arrest for staging a protest in Minsk.

Opposition activist Volha Nikalaichyk was fined 5.4 million rubles under Article 23.34 of the Administrative Code for displaying a flag and a poster "Invaders Out" on the Mound of Glory memorial complex near Minsk.

After the launch of the 2015 presidential campaign in July, campaign activists staged pickets across the country in order to collect signatures for the nomination of presidential contenders. Due to the fact that these activities were carried out within the framework of the election campaign, the procedure was governed by the rules of the Electoral Code, instead of the Law "On Mass Events", i.e. these pickets were carried out without the permission of local authorities, and in places not prohibited by the decisions of these bodies. However, some opposition politicians held pickets with slogans of social and political content, accompanied, in some cases, with the collection of signatures. For example, there were several pickets in Minsk, which were organized by the UCP and the nomination group of then presidential contender Anatol Liabedzka to demand the release of political prisoners, to support freelance journalists and freedom of speech.

On August 21, outside the Minsk-based jail No. 1, activists held a rally of solidarity with Maksim Piakarski and Vadzim Zharomski. The protest was attended by about 20 people.

On the same day, August 21, on the last day of collecting signatures for the nomination of presidential contenders, potential candidate Tatsiana Karatkevich, the BPF and the civil campaign "Tell the Truth" held an event in Minsk, which was entitled "Avenue of the National Flag-2015". About 40 people with Belarusian national white-red-white flags in their hands tried to stretch across Praspiekt Pieramožcaŭ. However, Interior Ministry officers in civilian clothes did not allow them to do so. There were no detentions during or after the protest.

It should be noted that all these public events had little or no intervention of the police, and were purely peaceful in nature and did not pose a threat to public order and security. This was the beginning of a period of the policy of 'mild practices' when the police did not intervene in the mass events or used their right to charge offenders on the spot, without detaining the protesters and bringing them to the bodies of the Interior. The peaceful assembly, were however continued.

On September 10, during a rally in central Minsk, opposition leader Mikalai Statkevich was charged with an administrative offense under Art. 23.34 of the Administrative Code; however, the picket was resumed. On September 22, Mikalai Statkevich was fined 7.2 million rubles. Opposition politician Uladzimir Niakliayeu was also prosecuted for his involvement in the picket. On September 16, chairman of the United Civil Party Anatol Liabedzka and other opposition activists held a picket in Minsk to mark the anniversary of the enforced disappearance of opposition leader Viktar Hanchar and businessman Anatol Krasouski. The organizers of the picket, Anatol Liabedzka and Mikalai Kazlou, were charged with an administrative offense, which violated their right to peaceful assembly.

On September 23, Minsk hosted a mass event to discuss the outcomes of the activities of Aliaksandr Lukashenka. The organizers of the picket, Mikalai Statkevich, Uladzimir Niakliayeu and Anatol Liabedzka, faced administrative charges; however, the rally continued. On September 30, the Centraĺny District Court fined Anatol Liabedzka a total of 7.2 million rubles for his involvement in the two protests. Mikalai Kazlou was fined 5.4 milion rubles. Uladzimir Niakliayeu and Mikalai Statkevich were fined in absentia 5.4 and 9 million rubles, respectively.

In October, central Minsk hosted a series of events organized by representatives of opposition parties and movements, as well as by separate opposition activists. In particular, peaceful assemblies of citizens were held in the capital on October 4, 10 and 11 – either during the presidential election campaign or immediately after its completion. All the protests were purely peaceful in nature, as they did not violate public order and did not represent a threat to public and national security, and therefore did not require any intervention on the part of law enforcement agencies, although held without proper authorization from the city executive committee. Despite this, a number of organizers and participants of these demonstrations were subsequently brought to administrative responsibility under Art. 23.34 of the Administrative Code (organizing or participating in unauthorized mass events) and sentenced to fines. At the same time, it should be noted that the authorities themselves did not interfere with the assemblies, did not interrupt their conduct, did not detain the participants and organizers during or after their completion.

On October 11, after the end of the presidential election, a few hundred people took to the protest in Minsk's Kastryčnickaja Square and marched to Niezaliežnasci Square. In general, the demonstration was peaceful and was not marred by the use of force from the police, but several participants were detained and later released. Just after the event, some participants were summoned to the police station, where they were held preventive conversations.

On October 29, between 100 and 150 people gathered outside the KGB building in Minsk to stage a protest called "Chain of Memory" in honor of over 100 Belarusian cultural figures executed on the day in 1937. On the night of 29 to 30 October 1937, over a hundred representatives of the national intelligentsia were killed in the NKVD building in Minsk. Among them were writers, poets, scientists, public and political figures, and journalists. Their place of burial is still unknown. The meeting was held without obstruction by the police, but the organizers were charged with administrative offenses.

In November, the Svislač District Court fined activists Yury Hlebik, Viktar Sazonau, Uladzimir Khilmanovich, Edvard Dmukhouski, and Vital Huliak for participation in a traditional rally in memory of the 1863 insurgents, which was held on October 31 in the towns of Svislač and Jakušoŭka. A total of 40 persons were prosecuted for involvement in the events. A similar event held in 2014 resulted in 14 persons being convicted of administrative offenses.

Opposition activist Viachaslau Siuchyk was fined 10.8 million rubles on charges of profanity and participation in an unsanctioned rally on October 4 – a protest against the Russian military base held in Freedom Square. Siuchyk allegedly chanted an offensive phrase against Russian President Vladimir Putin.

On November 24, the center of Minsk hosted an unauthorized meeting organized by opposition leader Mikalai Statkevich. The protest was staged to mark the anniversary of the 1996 referendum. At least 12 people were charged with administrative offenses. Among them were observers from the Human Rights Center "Viasna" and the Belarusian Helsinki Committee Natallia Satsukevich and Siarhei Kaspiarovich. Thus, police officers equated monitoring freedom of assembly to taking part in a demonstration. Apart from that, administrative charges were brought against journalists Dzmitry Halko (Novy Chas weekly), Halina Abakunchyk (Radio Free Europe/Radio Liberty), Katsiaryna Andreyeva (Narodnaya Volia newspaper). Later, press secretary of the Minsk police department Aliaksandr Lastouski said that the administrative charges against the journalists were dropped. At the same time, according to police officers, the human rights defenders who monitored the demonstration had no right to be present at the place and are thus participants in an unauthorized meeting. A number of UN and OSCE Special Rapporteurs have been notified about the fact of persecution of human rights defenders. On December 7, the judge sent both cases for revision. On the same day, the courts of Minsk fined participants of the said event: Anton Zhylko (3.6 mln rubles), and Stanislau Paulinkevich (4.5 mln rubles). The cases of three more protesters, Pavel Seviarynets, Andrei Davidovich and Maksim Viniarski were sent back for revision.

On December 2, Minsk hosted a protest called "Students' March". The event was not stopped by police, despite the fact that permission to hold it was never received by the demonstrators. On December 23, one of the participants in the protest, Pavel Siarhei, was fined 4.5 million rubles under Art. 23.34 of the Administrative Code. On December 30, another demonstrator, Hleb Vaikul, was fined 3.24 million rubles. Maksim Viniarski was fine din early January 2016.

On December 10, the day of the adoption of the Universal Declaration of Human Rights, volunteers and human rights activists of the HRC "Viasna" staged an event in the center of Minsk to congratulate local residents on the Human Rights Day and distribute the text of the Declaration, as well as information leaflets devoted to the issue of the death penalty in Belarus. On the same day, activists of the European Belarus opposition campaign held a picket in Minsk to demand the abolition of the death penalty. The picketers displayed a poster with an appeal to the community to speak out against the death penalty, which violates the right to life enshrined in the Universal Declaration of Human Rights. One of the protesters, Leanid Kulakou, later was fined on administrative charges.

Thus, despite the absence for a few months of cases of violent dispersals of peaceful assemblies and pickets, as well as penalties for their participants, it is too early to talk about changes in the policy of the authorities in respect of the right to freedom of assembly.

Last year, Belarus continued the practice of restricting freedom of expression and freedom of conscience.

On June 15, the Ministry of Information limited access to the website kyky.org, "because of the information the spread of which could harm the national interests of the Republic of Belarus." According to the Ministry, "a number of publications posted on this information resource contained derogatory remarks against the national holiday of the Republic of Belarus – Victory Day, citizens of the country taking part in it, contested the importance of this event in the history of the state, thereby distorted the historical truth about the Great Patriotic War..."

The department of ideology of the Minsk city executive committee banned a concert of a famous Belarusian artist Dzmitry Vaitsiushkevich, which was scheduled for July 22. The ban referred to alleged violations of the law reportedly committed by the performer. However, the decision did not specify

which violations were committed by Vaitsiushkevich: the document cited a regulation covering a wide range of violations, including propaganda of war or extremist activities.

Followers of the International Society for Krishna Consciousness were detained in Viciebsk for the distribution of religious literature and were for more than five hours held without charges.

On June 19, the pastor of a Protestant Church “Transfiguration” Siarhei Nikalayenka was punished by a fine of 20 basic units for holding services of a registered religious organization in an unregistered location.

7. Restrictions on freedom of speech and the right to impart information, harassment of journalists

In 2015, Belarus preserved severe restrictions on freedom of expression and pressure on independent journalists and media outlets. Systemic problems in the field of freedom of speech in Belarus and lack of political will to solve them were reflected in the rating of the international organization Reporters without Borders. Just like in 2014, Belarus was 157th in the list.

In January, there were documented facts of bringing administrative charges against journalists covering socially significant events, with their actions being regarded as taking part in an unauthorized mass event. In particular, according to a ruling of the Svietlahorsk District Court of January 23, journalists Larysa Shchyrakova and Kanstantsin Zhukouski were found to have violated Part 1, Article 23.34 of the Administrative Code – violation of the order of organizing or holding mass events – and fined 5 basic units each. On November 25, the journalists were covering a picket staged by disabled activist Yury Liashenka in the city’s central square in front of the district executive committee. The court concluded that the journalists knew in advance about the picket and “purposefully assisted Yury Liashenka, provided video recording of the picket, were jointly present in a place not authorized for picketing.”

During the year, there was ongoing prosecution of freelance journalists for cooperation with foreign media without accreditation: according to the Belarusian Association of Journalists, there were 28 cases of administrative charges against freelancers, with the total fines amounting to more than 146 million rubles. Cooperation with foreign media without accreditation was used as a pretext to repeatedly punish T. Shchapiotkina, A. Litvinchuk, K. Zhukouski, N. Kryvashei A. Kirkevich, A. Denisov. The courts also fined T. Smotkina, D. Liauchuk, D. Lupach. V. Chaichyts, S. Krauchuk, I. Khomich, and L. Shchyrakova. It should be noted that the Belarusian legislation does not provide for this type of responsibility, but authorities keep arbitrarily using a provision of the Administrative Code, which provides for responsibility for the illegal production and distribution of media products. This practice is legally flawed, since the journalists are not in charge of producing or disseminating media, which in reality is done by editorial offices.

Fines was not the only form of pressure on independent journalists. In July, the KGB harassed Dzmitry Lupach, a freelance journalist of Hlybokaje: he was threatened with criminal and administrative persecution, forcing the journalist to cooperate.

Harassment of journalists for work without accreditation took place against the backdrop of continued refusals from the Belarusian Foreign Ministry to provide such accreditation. Hrodna journalist Viktar Parfionenka received seven refusals from the Foreign Ministry of Belarus, which denied him permanent accreditation for the Belarusian Radio Racyja. The journalist had written several complaints to the Ministry itself and the government of Belarus, arguing that he was deprived of the right to profession. However, his complaints were not even accepted for consideration. The Leninski District Court of Minsk refused to consider Viktar Parfionenka’s complaint. Parfionenka disagreed with the decision of Judge Irena Brolishs and appealed it to the Minsk City Court. On January 19, the Minsk City Court, chaired by Aksana Budouskaya, also rejected the journalist’s claim and denied him the right to complain about the actions of the Ministry of Foreign Affairs.

The authorities actually refused to investigate the circumstances of illegal blocking of several websites in late December 2014 (belapan.com, belapan.by, naviny.by, belaruspartisan.org, udf.by, 21.by, gazetaby.com, zautra.by, charter97.org). Statements sent by the Belarusian Association of Journalists to the Prosecutor General's Office of Belarus, as well as to the Interior Ministry's department for crimes in the sphere of high technologies (Department K) and the Operational and Analytical Centre of the Presidential Administration were answered with formal replies.

In particular, on February 25, Deputy Minister of Internal Affairs Mikalai Melchanka issued an order allowing law enforcement employees to "locate, detain and bring to the department of internal affairs persons involved in photographing and video recording of government buildings, including those in charge of law enforcement, as well as other critical facilities" and to "to carry out personal search, interrogation and identity check, as well as fingerprinting and photographic and video recording". The document came after an incident in Loyeu on February 23, when police officers detained a Russian researcher Alexey Kolesnichenko for photographing buildings, among which there were several government agencies. He was later sentenced to 10 days of administrative arrest. According to experts, the order is illegal, as it calls for ordinary employees to commit official misconduct, in particular illegal detention. The first journalist who experienced the effect of the new restrictive order was Dzmitry Lasko, a press photographer of the Komsomolskaya Pravda v Belorussiyi weekly, who was detained for four hours for taking pictures of the main building of the Academy of Sciences. This happened on February 26. Later, the press service of the Ministry of Interior explained that law enforcement officers have a right to know about the purpose of photographing government buildings, but there was no ban on taking photos. However, the practice of detentions was not stopped.

On February 26, the operational and analytical center of the Presidential Administration and the Ministry of Communications in consultation with the Ministry of Information announced entry into force of "Regulations on the restriction of access to information resources (their components) located on the Internet". Media experts stress that this obviously repressive mechanism does not correspond to the principle of freedom of expression, besides it is delegated to the authorities, which have never showed respect for these basic principles.

In March, the Information Ministry issued a series of warnings to independent media. In all cases, warnings dealt with minor flaws in the outlets' output. Warnings were received by newspapers Hazieta Slonimskaja, Intex-Press from Baranavičy, Hancavicki Čas, Borisovskiye Novosti and Rieklamnyi Borzhomi from Barysau, as well as the Novy Čas weekly. It is alarming in this context that two warnings within one year may result in a court decision to close the media.

In late March, the websites Charter-97 (charter97.org), Belarusian Partisan (belaruspartisan.org), as well as the website of the Human Rights Center "Viasna" (spring96.org) were blocked by Internet service providers adsl.by (Belinfonet), Business Network, Iptel.by, IP TelCom, and Harant (Homieĺ). These online resources were included in the list of restricted access for users in government agencies, educational and cultural institutions. Two days after the blocking, electroname.com said, citing "sources in the telecommunications industry of Belarus", that the restricted websites would be removed from the list, and the blocking should be cancelled within a day. According to electroname.com, this applied to Charter 97, belaruspartisan.org, the website of the Human Rights Center "Viasna", prokopovi.ch, europeanbelarus.org, Yauhen Lipkovich's blog and other websites that were added to the list of restricted access by the General Prosecutor's Office of Belarus.

In May, the Supreme Court of the Republic of Belarus wrote to the Warsaw District Court for the purpose of execution of a decision to ban the use of the trademark of the Poland-based Belsat channel. Such actions are assessed as aimed at creating obstacles to the activities of the only independent television channel.

On November 24, officials from the Ministry of Culture ordered the removal from an exhibition of two works by Aliaksei Marachkin: “Duel, or Resistance to the Two-Headed Mutant” and “The Virgin of Heaven’s Hundred”, as well as Ales Pushkin’s painting “In Memory of Belarusians who Died for Ukraine”, and a work by artist Viktar Markavets. Later, the painting “The Virgin of Heaven’s Hundred” was returned to the exhibition. However, the following day unknown officials ordered to remove two more pictures: a work by Ales Tsyrkunou dedicated to the participation of Belarusians in the battle of Monte Cassino and a painting by Uladzimir Krukouski entitled “What Kind of People Are We?”. These facts are nothing but a manifestation of censorship. It should be noted that in accordance with Art. 33 of the Constitution, censorship is not allowed in the country.

8. The use of torture and other cruel and inhuman treatment

In 2015, human rights defenders received reports on several instances of torture, cruel, inhuman and degrading treatment prohibited by the international obligations of Belarus. There were also documented cases of actual refusal of the authorities to properly investigate such reports. In March, the Ministry of Foreign Affairs published its National Report to the Universal Periodic Review (second cycle). The report’s authors argued that the prisoners in Belarus enjoyed access to efficient mechanisms of appealing against the illegal actions of prison officials. For example, in 2014 the Department of Corrections of the Ministry of Internal Affairs registered and reviewed 96 complaints of citizens against unlawful actions of the authorities and institutions of the correctional system and medical-labor dispensaries of the Ministry of Internal Affairs. In 2011-2014, the prosecuting authorities considered 158 complaints about measures against convicts and persons in custody. All complaints were rejected. In 2012-2014, the courts of Belarus considered 15 complaints by convicts against arrest, imprisonment, life imprisonment of persons held in custody, the application to them of penalties and complaints against the use of disciplinary sanctions in respect of administrative detainees. The complaints were deemed groundless.

In 2015, Zhanna Ptsichkina, the mother of Ihar Ptsichkin, who died in the remand prison in Valadarski Street in Minsk back on August 4, 2013, sought prosecution for prison officers. Ihar Ptsichkin died from cardiac arrest while serving a short prison term. The reasons for his sudden death are not clear. His relatives believe that the death was a result of violence by prison guards, since his body had many bruises. The authorities also failed to clearly asses the actions of the prison doctor who was suspected of committing an offense.

The Investigative Committee prohibited under threat of criminal prosecution to disclose the circumstances of the criminal case, even after the decision to dismiss it. Repeated complaints filed by Ms. Ptsichkina on this occasion were dismissed. At the same time, the Investigative Committee repeatedly voiced information that defamed the woman and deprived her to refute these allegations. Zhanna Ptsichkina was also forbidden to tell about the progress of the investigation to reporters or other concerned persons, including human rights defenders, in order to give publicity to the case and thereby make the authorities investigate the case impartially and properly.

The investigation was accompanied with violations of generally accepted standards: in the period of the preliminary investigation of the criminal case, prison officials were not suspended.

The investigator's decision to terminate the criminal case was canceled by the Prosecutor General's Office after Ms. Ptsichkia filed several complaints; however, the grounds for the decision were for a long time concealed. After an additional probe, which was also totally secret in nature, another decision to dismiss the case was issued.

Police officers regularly used violence against become football fans. On May 3, police officers in Baranavičy severely beat, including with the use of operational gear, football fans, 56 of whom were detained and taken to the police department. They were then forced to write statements that they had

no claims to the police. A complaint against the incident by local human rights activist Siarhei Housha was not considered by the Prosecutor's Office, but forwarded for consideration to the police department, whose staff allegedly broke the law. Further appeals against the police brought no results.

For over three years, the mother of Aliaksandr Akulich, who died in the detention center in Svietlahorsk, has been asking to prosecute the police officers who, instead of providing medical care to her son, beat him with rubber batons, having fastened him to an iron lattice door. In early 2015, the investigators issued another decision not to open a criminal investigation into the death of A. Akulich. Both Deputy Prosecutor and Prosecutor of Homieĺ region confirmed the decision. In the fall of 2015, the investigator's decision was overturned by the Svietlahorsk District Court as a result of a complaint by Aliaksandr Akulich's mother. However, it was reissued again after a brief formal additional probe. At the moment, all effective means to restore the victim's rights within the country have been exhausted.

Prisoner Piotr Kuchura and his wife Liudmila continued asking for a proper investigation and prosecution of officials of the penal colony responsible for the ill-treatment of the prisoner: the convict was placed in a cell where the toilet was covered with bleach, which after its contact with water emitted a pungent gas. Officials of the Prosecutor's Office and the Investigative Committee found no violation in the actions of the investigators, who had failed to carry out a timely investigation into the torture report. As a result of this, an expert statement of possible damage caused to the prisoner's health became impossible.

In July, political prisoner Mikalai Dziadok was reportedly placed in the cell-type premises. He had to share a cell of 5 square meters with another prisoner. Such dimensions of the cell, although in line with the national standards, are a form of abuse of the prisoner held there 24 hours a day.

Viachaslau Kasinerau, who was detained on suspicion of involvement in the 'graffiti case', as a result of the disproportionate use of violence by police officers was injured and eventually taken to hospital.

Yaraslau Ulyianenkau, who was injured in the same circumstances, submitted a statement to the Investigative Committee demanding to bring police officers to justice. As a result, his request was rejected.

Maksim Piakarski, another suspect in the case, told about the brutal arrest: the detainees were beaten, including with electroshock; subjected to psychological pressure; their procedural rights were grossly violated. In addition, police officers put psychological pressure on their relatives, including Yaraslau Ulyianenkau's future wife, who was then in her late pregnancy.

In November, Viachaslau Kasinerau received a message saying that a criminal case had been opened to investigate inflicting less serious bodily injuries during his brutal detention by riot police (special detachment of the Interior Ministry) on August 11. The investigation was said to be carried out by the Minsk City Department of the Investigative Committee. Human rights defenders stress the fact that the criminal charges did not deal with the alleged abuse of authority by the police officers, thus ignoring the fact that the detainee was beaten by a police officer on duty.

A great public outcry was triggered by the excessive use of violence during the arrest of a Minsk resident who begged alms in a pedestrian underpass. He was detained and prosecuted for resisting arrest and alleged use of violence against police officers. However, instead of an unbiased investigation in the unprofessional and violent actions of police officers, as well as the reasons that caused the citizen to oppose them, the Investigative Committee and the Interior Ministry focused on creating a negative reputation of the victim and refused to admit a violation by the police.

On October 13, blogger Viktar Nikitsenka, who collaborates with many independent media, was detained and severely beaten by the security forces in Minsk. The reason for the detention was taking a photo outside the Government House building with a homemade poster "Lukashenka On Trial". Viktar

Nikitsenka filed a request to open a criminal case, which was considered by the Investigative Committee. Despite the fact that experts found injuries on the victim's body, the authorities refuse to open a criminal case against the police officers.

In October, former political prisoners Yauhen Vaskovich, Ihar Alinevich, Yury Rubtsou, and Mikalai Dziadok told the Human Rights Center "Viasna" about the conditions of detention and cruel, degrading treatment of prisoners.

The authorities have not completed the investigation into the beating and ill-treatment of persons detained in a punk concert in August. As explained by one of the victims, three months has passed, but so far the investigator only questioned all the witnesses in the case. The investigation has failed to make any conclusions on the case.

Zmitser Fedaruk, who was detained during a football match in Barysaŭ on October 12 and held for almost 24 hours in the district police department, complained of the conditions of detention in the local temporary detention facility. The answer received by the activist from the National Epidemiology Center of the Department of Finance and the Rear of the Interior Ministry confirmed his words about the conditions in which people awaiting trial or under arrest are held. An inspection found that the sanitary condition of the cell was poor: there are traces of water at the junction of the wall and the ceiling near the windows, the sanitary equipment is extremely worn. The washbasin is defective. One of the two windows had no glass. The window frames are worn. The natural lighting is insufficient. An overhaul was planned for 2015, but due to lack of funding has been shifted to a later date.

Leanid Kulakou, an activist of the European Belarus opposition movement, who complained about the conditions of detention in Smaliavičy, where he was serving an administrative arrest, received a reply to his appeal to the Prosecutor's Office of the same district. The Prosecutor's Office said that a probe into alleged violations of living and sanitary conditions of detainees failed to confirm the activist's report. However, this conclusion is contrary to the violations of the rules of detention established by the Office of the supervisory and executive activities of the Ministry of Internal Affairs: an earlier inspection found several shortcomings in logistics at the Smaliavičy police department. After Kulakou's complaint was sent to the Prosecutor's Office, the detention center was renovated to improve the living conditions of prisoners, but the Interior Ministry found no violations of the rights of prisoners.

The Human Rights Center "Viasna" wrote to the head of the Department of Corrections of the Ministry of Internal Affairs about the conditions of detention of Andrei Bandarenka, former head of the Platform Innovation NGO, after it was reported that during the period of serving the sentence there was a danger to his life and health. As a result, he was repeatedly placed in a so-called safe place, which, in fact, is an isolated cell. This occurred with the connivance of the colony administration of informal relations among prisoners, which allowed to create the conditions for cruel, degrading treatment of individual prisoners. The prison authorities, instead of protecting the rights of the imprisoned human rights defender, formally and without special conditions created by some of the prisoners towards Bandarenka, in the absence of proper monitoring from the colony administration, responded to the formal violation of the disciplinary rules. Bandarenka received several disciplinary sanctions, was labeled a "malicious offender", as a result of which he was deprived of his right to amnesty. Later, he was transferred to maximum-security prison. The Human Rights Center "Viasna" called to put an end to groundless harassment of Andrei Bandarenka by the administration of the penal colony; to investigate the detention conditions of Andrei Bandarenka; to order the prison authorities to provide safe conditions of detention of Andrei Bandarenka, which would not humiliate his human dignity; to allow a meeting of Andrei Bandarenka with representatives of the country's human rights organizations.

9. Arbitrary detentions

In 2014, human rights activists addressed the subject of arbitrary detentions in Belarus; the result of a joint international research mission of the International Federation for Human Rights and the Human Rights Center "Viasna" was the report "Arbitrary Preventive Detention of Activists in Belarus." However, during 2015, there were new cases of arbitrary, including so-called preventive, detentions.

In January, the authorities targeted activists of the country's anarchist movement. The first arrests took place on January 10 before a punk concert in the Minsk club "Pirates". According to police officers, they were allegedly looking for spice, but found nothing and the concert was disrupted. Three people were detained and faced administrative charges under Article 17.1 of the Administrative Code ("disorderly conduct"), and two more – under Article 17.11 ("manufacturing, distribution and (or) storage of extremist materials"). As a result of trial, the extremism charges were dropped; one detainee was sentenced to an administrative fine of 1.8 mln rubles, two more received administrative arrests of 10 days each. On January 16, anarchists held in Minsk a series of actions in protest against the actions of law enforcement agencies. These actions became the basis for further arrests and detentions. On January 21, the Lieninski District Court of Minsk sentenced two activists of the anarchist movement to administrative arrests of 15 days each.

The authorities still used charges of disorderly conduct and disobeying police officers, in some cases in combination – in order to increase the term of arrest. This was done for the purpose of isolating members of certain social groups.

A striking example of a trumped-up case was the situation with former political prisoner, an activist of the anarchist movement Aliaksandr Frantskevich. On February 2, he was visited by police officers at his working place. Aliaksandr's employer asked him to come downstairs to be detained by people in civilian clothes. The activist was taken to the police department of the Saviecki district of Minsk, where he faced two charges: Art. 17.1 of the Administrative Code ("disorderly conduct") and Art. 23.4 ("disobedience to the lawful demands of an official"). The following day, the Saviecki District Court, based on false testimony by police officers, sentenced him to 25 days in jail. On the same day, another representative of the anarchist movement was sentenced on similar charges to 10 days of arrest. She was also detained in her workplace.

Siarhei Shtoda, owner of a trucking company, was subjected to arbitrary preventive detention to stop his activity in promoting the interests of carriers and to prevent possible protests. On February 3, Siarhei Shtoda was going to meet with Deputy Prime Minister Vasil Matsiusheuski, and in case no agreement was achieved to lift the penalties imposed on carriers for alleged violations of transportation rules, on February 4 he promised to stage a protest with participation of thousands of affected businessmen. After his visit to the Council of Ministers, the businessman was unavailable on the phone, and later it became known that Siarhei Shtoda was detained by riot police after leaving the government building, taken to the police department, where he faced administrative charges under Article 17.1 of the Administrative Code (disorderly conduct). The court sentenced him to an arrest of 15 days. After serving his sentence, Siarhei Shtoda said that the authorities did not rule out that the protest could happen and prepared several vacant cells at the city's detention center.

In April, environmental activists Stanislau Ramanovich was detained and arrested without a valid reason for a period of 15 days.

Another social group whose members were regularly subjected to arbitrary detention were football fans.

On May 7, Yury Belavusau, a FC Dynama fan, was detained without reason, accused of disorderly conduct and punished by administrative detention for a period of 15 days; police officers confiscated his personal computer and tablet. There are reports of the arrest of three other fans of the same club.

Football fan Maksim Malinouski was charged with disorderly conduct and spent two days in the detention center. His case was eventually dismissed on rehabilitating grounds.

On September 27, a group of football fans (about 30 people) were detained by police officers in Baranavičy, after they approached a picket staged by local civil society activist Ryhor Hryk to protest against the deployment of a Russian military base in Belarus. The fans were then taken to the police station.

On October 10, four football fans were detained without reason in Brest and accused of disorderly conduct. On October 30, their case was heard by a court, which dismissed the case citing the pettiness of the offense.

Five football fans from the informal community B-12 were detained at the European Championship qualifying match between Belarus and Macedonia, which took place in the evening of October 12 at the Borisov Arena. They were subsequently convicted on trumped up administrative charges: the Barysaŭ District Court sentenced the football fans to fines of 1.8 mln rubles each.

At a match between FC Sluck and FC Homieĺ on November 21, a banner was raised and firecrackers were lit in the away sector. After the match, all the away fans (about 50 people) were taken to the police station. Both on the way and in the department, according to belultras.by, the fans were constantly subjected to beatings, threats and insults from the riot policemen. The detainees were forced to stand along the perimeter of the yard, and the police officers videotaped them, forcing them to show pictures on T-shirts and tattoos, selectively beating the fans with truncheons. A few hours later, all of them were released, and one minor detainee was charged with an administrative offense.

Opposition activist were also targeted as victims of arbitrary detentions.

On July 2, opposition activist Leanid Kulakou was detained by the police for wearing a T-shirt with the Pahonia coat of arms and a white-red-white flag; he was released after three hours of unlawful detention in Minsk's Lieninski district police department.

On July 7, police officers detained Miraslau Lazouski, who was wearing a T-shirt with the insignia of the Ukrainian Azov Battalion. After five hours of detention, he was groundlessly prosecuted for disorderly conduct and fined 360,000 rubles.

On August 12, Mikaševičy police detained Leanid Dubanosau, who was gathering signatures for presidential contender Tatsiana Karatkevich. Police officers said the detention was caused by a phone call from unknown persons, who alleged that the activist was collecting signatures in an intoxicated state. The activist was forced to pass a medical examination, which showed that he was sober.

On September 9, police officers in Jeĺsk, Homieĺ region, detained Aliaksandr Rybachenka, an activist of the European Belarus opposition movement. He was detained after attempting to photograph flyers calling for a boycott of the elections. The activist was held in the police station for more than three hours. He was eventually released without charges.

On July 17, police officers detained Yury Shulhan and Pavel Kanavalchyk, after they came to the Central Election Commission to register a nomination group of presidential candidate Yury Shulhan. They were detained in suspicion of being intoxicated in a public place. However, the court convicted them of using foul language after they were brought to the police department; the charge was supported by testimony

from employees of the police department. Records of surveillance cameras were not examined by the court. Thus, according to human rights activists, the incident is a fact of arbitrary "preventive" detention. The court ruling was unsuccessfully appealed to the Minsk City Court.

Police officers foiled a rock concert, which was held on August 1 near Minsk. The detention of young people, including girls, was accompanied by disproportionate use of force and non-lethal weapons. Their administrative cases were sent by the judge back for revision.

On November 6, Tamara Siarhei, leader of a civil initiative "Against Lawlessness in the Courts and Prosecutor's Offices", was detained at the central railway station in Minsk. She was accompanied by several activists of the initiative. The women had intended to come to the site of the inauguration of Lukashenka in order to hand him a petition. The police officers had no legitimate grounds for detention; according to them, Tamara Siarhei was suspected of committing a theft.

10. Violations of social and economic rights

The Human Rights Center "Viasna" and the International Federation for Human Rights (FIDH) earlier addressed the problem of forced labor in Belarus. Since then, the situation has not improved.

Despite the recommendations of the UN Committee on Economic, Social and Cultural Rights, the government of Belarus failed to liquidate the elements of forced labor in the country. After a lengthy debate, on April 2 President Lukashenka signed Decree No. 3 "On the prevention of social dependency". Belarusian and international human rights organizations interpreted this decree as a violation of the Constitution of Belarus and international standards of human rights, since it aims to promote employment under the threat of paying a special fee and administrative responsibility, including fines and arrest. It should be noted that Aliaksandr Lukashenka did not hide the actual purpose of the decree: maximum forced employment, although formal, of all unemployed, for various reasons, residents of the country and ensuring the payment of money to the budget. On May 6, the House of Representatives approved Presidential Decree No. 3 "On prevention of social dependency", which created the conditions for the expansion of the practice of forced labor in Belarus. It provided for the payment of fees by the persons who are not involved in the financing of public expenditures through the payment of taxes under the threat of arrest involving compulsory work. Certain categories of unemployed citizens, including women raising children until a certain age, people with disabilities, senior citizens and students, were exempt from paying this tax.

The police received the right to arrest in the extra-judicial manner the so-called 'obliged persons' (parents who have children taken away and placed under the custody of the government) for a single absence from work and to send them to compulsory work.

In various parts of Belarus, local executive officials practiced pressure on employees of local businesses and organizations to enforce participation in so-called 'subbotniks', including free work of cleaning the streets and transfer of salaries to pay for various celebrations.

On October 27, the Kruhlaje district hosted the Day of Unpaid Labor in the Workplace. According to the executive committee, all the employees are required to donate the money earned on the day to a special account of the district executive committee.

The district newspaper Sieĺskaje Žyccio wrote that the executive committee decided to arrange the action "at the suggestion of a number of local labor groups in order to raise funds to carry out work on the improvement, current repair of parking lots, repair of the children's hospital, purchase of furniture for the children's department of the district hospital."

The organizations were recommended to transfer funds earned on the day of unpaid labor on a voluntary basis to an off-budget account of the district executive committee.

In the fall of 2015 year, Kruhlaje hosted the Dažynki agricultural festival, which was preceded by weekly voluntary work. On February 25, the district hosted another Day of unpaid labor, according to the decision of the executive committee, in order to raise funds to carry out work on the improvement of the town connection with the district festival.

The Belarusian authorities continued the practice of forced isolation of individuals suffering from alcohol dependence in so-called LTPs (labor and treatment dispensaries). According to the head of the Department of Corrections, there are about 6,700 people held in the country's LTPs as of June 2015.